DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

April 15, 2002

A. CALL TO ORDER

The April 15, 2002, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

| Supervisor Jessie Medlin | District 1 |
|----------------------------|----------------------|
| Supervisor Eugene C. Thach | District 2 |
| Supervisor Gerald Clifton | District 3 |
| Supervisor John Caldwell | District 4 |
| Supervisor Tommy Lewis | District 5 |
| W. E. Sluggo Davis | Chancery Clerk |
| Sheriff James Albert Riley | Sheriff |
| David Armstrong | County Administrator |
| Bobby Chamberlin | Board Attorney |

B. INVOCATION

Board Attorney Bobby Chamberlin presented the invocation.

C. OLD BUISINESS

1. MPO Appointment – Planning Commission

Merritt Powell said the County needs to recommend someone to the Governor to be appointed as his MPO Representative to the MPO. Merritt Powell said the County has two representatives, one from the Board of Supervisors and one from the Governor. Merritt Powell said the MPO committee meets every two months, and the Governor's appointee would serve on the Executive Board.

Supervisor Jessie Medlin said he would like to recommend Jim Flanagan.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to ask Jim Flanagan to serve as the Governor's appointee to the Metropolitan Planning Organization (MPO). The motion passed by a unanimous vote.

Supervisor Jessie Medlin asked Merritt Powell to talk with Jim Flanagan. Later in the meeting Mr. Powell said Jim Flanagan would be happy to serve as the Governor's representative to the MPO. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to send a resolution to the Governor to ask his consideration to appoint Jim Flanagan as the Governor's appointee to the MPO. The motion passed by a unanimous vote.

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2. Planning Commission change to the Flood Plain Ordinance

Merritt Powell, Director of Planning Commission, said that in the Flood Plain Ordinance, Section C, Standards for Streams Without Established Base Flood Elevation and/or Floodways, paragraph three (3) reads: In Special Flood Hazard Areas and Community Flood Hazard Areas without Base Flood Elevation Data, and where no base flood elevation and floodway data are available from a Federal, State, or other source, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less that three (3) feet above the highest adjacent grade at the building site. Mr. Powell said that FEMA recommended six and one-half (6 ½) feet. Mr. Powell said the Planning Commission would like to set the limit at five (5) feet, so that the basement could not be used as a resident section of a home. Mr. Powell said this section has not been in the County Ordinance before.

Supervisor Tommy Lewis asked how much area in DeSoto County is in the flood zone. Mr. Powell said quite a bit. Supervisor Eugene Thach said the County should take the FEMA recommendation.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the FEMA recommendation of where no base flood elevation and floodway data are available from a Federal, State, or other source, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less that six and one-half (6.5) feet above the highest adjacent grade at the building site. The motion passed by a unanimous vote.

3. Declare as Surplus Property and Approval to Bid Fuel Tanker – Sheriff Dept.

County Administrator David Armstrong said the Sheriff's Department has a fuel tanker they would like to have declared as surplus property and put out for bid.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to declare the 1962 AM General Fuel Tanker Truck, model M49C, Vin No. 159029 as surplus inventory and to approve going out for bid to sell the tanker. The motion passed by a unanimous vote. **See Exhibit C.3**

4. Approval of Contract with Engineering Associates for the Starlanding Road and Nail Road Railroad Project

Supervisor John Caldwell said the paperwork has been sent to the Railroad requesting written confirmation stating the Railroads commitment to the Starlanding Road and Nail Road Railroad Projects.

County Administrator David Armstrong said the County has committed \$700,000 as its share for this project. Supervisor Jessie Medlin said this project would be a railroad bridge over Nail Road and an at-grade crossing on Starlanding Road. Supervisor John Caldwell said there would be a full signalization for the two-lane and dirt for the possible four-lane Starlanding Road crossing. Supervisor Caldwell said that work with the City of Horn Lake would be required on the Nail Road Railroad Project. Supervisor Eugene Thach asked if the County had the money for the Starlanding project, that there was \$750,000 committed to the Nail Road widening.

David Armstrong said the County has designated in its Budget \$700,000 for Starlanding Road and \$750,000 for Nail Road. Supervisor Tommy Lewis asked if there was an estimate of cost for both projects. Supervisor Caldwell said there would have to be a contract on the overpass and the City of Horn Lake would be doing the approach to the Railroad on Nail Road. Supervisor Caldwell said the original cost was \$3.5 million for the Starlanding Underpass. Supervisor Lewis said there was \$2.1 million in the Federal

ITEM C.4, CONTINUED,

Budget for the Railroad. Supervisor Caldwell said that Engineering Associates needs the contract to start work to do the measurements. Supervisor Thach said the County does not have money to do two projects.

Supervisor Caldwell said that Nail Road has to be done first and that Starlanding has to be in the same contract, the way the Legislation is written. Supervisor Jessie Medlin said the County may need to look at only two lanes on Starlanding Road to get the money where the County can afford to do the project. Supervisor Caldwell said the County could save money on the widening of Nail by having the railroad underpass.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract with Engineering Associates, Inc., for Starlanding Road and Nail Road Overpass subject to the Railroad's written letter of agreement and the confirmation of the contract by the Board Attorney. The motion passed by a unanimous vote. **See Exhibit C.4**

5. Kline Swinney – Presentation of Plans for Juvenile Facility

David Kline, Architect with Kline Swinney Associates, said he was requested to look at adding a new juvenile facility to the County Jail. Mr. Kline said he had met with Jim Bearden, Director of Operations & Maintenance, Kenny Evans, Director of Buildings & Grounds, Judge Mills Barbee, Youth Court Judge, and Sheriff James Riley. Mr. Kline said he has the preliminary drawings today for the juvenile facility. Mr. Kline said the addition of 32 beds for juveniles and the renovation of the women and trustee areas are in the preliminary drawings. Mr. Kline said this new addition would incorporate part of the 1956 jail and that part of it would be torn down. Mr. Kline said he has met with the City of Hernando to get the variance necessary for the addition proposed, which is three feet off the property line. Mr. Kline said he has created an exercise yard that is completely enclosed with only skylights to be used for the juveniles and women. Mr. Kline said the existing drive and parking east of the jail would be taken into the new juvenile addition. Mr. Kline said the tree on the north side of the jail would have to be taken down to allow for a separate entry for the juveniles.

Supervisor Eugene Thach asked how much of the old jail would be torn down. Mr. Kline said the housing area would stay but the dispatch area would be torn down. Mr. Kline said the City had required that the sidewalk be extended. Mr. Kline said the female area would be renovated and expanded into the existing juvenile area resulting in 42 beds for female inmates. The laundry area is to be relocated and the trustee area will be expanded to house 64 inmates.

Mr. Kline said the juvenile addition would comply with the ACA guidelines and all building codes. The renovated female and trustee area would also be renovated to comply with ACA guidelines. This should bring all detention spaces within full compliance with ACA guidelines. Mr. Kline said the new juvenile facility would be located on the front of Hwy 51 and all of the housing cells have been designed large enough to convert to double adult cells if it was ever needed.

Mr. Kline said with the addition in progress now the jail bed count is: males 290, females 48, and juveniles 12. The addition of the juvenile facility and renovations proposed would change the bed count to: males 350, females 42, and juveniles 32.

Mr. Kline said the State has jurisdiction over the trustees and these are the only ones that Mr. Ronald Welch with the ACA can control. Mr. Kline said the he has used the numbers that the courts allowed for DeSoto County to have. Mr. Kline said he had spoken with Mr. Welch and he was going to send a copy of the requirements for the juveniles and trustees. Board Attorney Bobby Chamberlin said the Board would have to get with Mr. Welch and get the court mandate changed for the DeSoto County Jail.

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David Kline said the estimated cost for the juvenile building was \$1,778,784.83, and

with

the administrative and engineering fees the total estimated cost is \$1,914,518.28. David Armstrong said the first estimate was \$2.2 million. Mr. Kline said to build juvenile space is more expensive. Mr. Armstrong said that there was \$2 million left over from the \$10 million bond issue. Supervisor Tommy Lewis said he was concerned with how to pay for the juvenile facility and if the County can meet the obligation of the issued debt.

Jim Bearden said if the Board does the juvenile facility, this would eliminate all of the old walls in the jail and would allow the County to put in the new sprinkler system that would meet building requirements.

Judge Mills Barbee said the only other juvenile facility is located in Tunica County, but Marshall, Tate, and Panola Counties need a juvenile facility. Supervisor Thach said the way that DeSoto County is growing, we may need all of the space that we are building. David Armstrong asked Judge Barbee how many juvenile facilities were in Mississippi. Judge Barbee said that Adams, Hinds, and one or two were on the Coast, and that Meridian, MS. has one that is 20 years old.

David Kline said he is ready to do the working drawings and go out for bid. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve going out for bid on the Juvenile Facility and to authorize David Armstrong to negotiate with Kline Swinney to go forward with the plans and bid. The motion passed by a vote as follows:

Supervisor Jessie Medlin
Supervisor Eugene Thach
Supervisor Gerald Clifton
Supervisor John Caldwell
Supervisor Tommy Lewis
NO
YES
ABSENT
YES

D. NEW BUSINESS

1. Bids Under Advisement – Turman Road (Civic Center Rd.)

Daniel Murphy, Consulting County Engineer, said there were two bids received for the widening and surfacing of Turman Drive (CO-17(3)) and the low bid was Ferrel Paving, Inc. in the amount of \$337,344 and the other bid was Madden Phillips Construction Inc. in the amount of \$564,128.88. Mr. Murphy said he had estimated the cost to be about \$335,000.

Supervisor Eugene Thach asked why the other bid was so high. Mr. Murphy said that probably they really didn't want the job.

Supervisor John Caldwell said the road that goes to the McDonald's looks like it is an entrance into the CVB, but is a dead end road. Supervisor Caldwell asked if this road could be opened up to make an entrance. Daniel Murphy said if another development comes in it could be opened up. Chancery Clerk Sluggo Davis said someone would have to talk with the landowner before the road could be opened up. Supervisor Eugene Thach said that Southaven should handle this.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to accept the recommendation of the Consulting County Engineer Daniel Murphy for the low bid of \$337,344.00 from Ferrel Paving, Inc. for the widening and surfacing of Turman Drive (CO-17(3)). The motion passed by a unanimous vote. **See Exhibit D.1**

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^{**}See Exhibit C.5**

2. Approval of Contract with Daniel Murphy

County Administrator David Armstrong said that changes have been made to the existing contract with Daniel Murphy. Mr. Armstrong said the newly proposed contract has changed by taking out the County provided insurance clause and adding a base compensation, whereby a monthly retainer in the amount of \$750 per month will be paid and the contract will be effective April 1, 2002 until March 31, 2003.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the new contract for the County Consulting Engineer with the terms noted in Exhibit D.2 and to be effective April 1, 2002 until March 31, 2003. The motion passed by a unanimous vote. **See Exhibit D.2**

3. Election Commission – June Primary – Paul Beale

Election Commissioner Paul Beale and Circuit Clerk Dale Thompson appeared before the Board of Supervisors to discuss the upcoming State Democratic Party primary to be held in June 2002. Mr. Beale said that according to the Mississippi Code, Section 23-15-301, all the expenses of printing the tickets or primary election ballots, for necessary stationery, and for paying the managers, clerks, and returning officer of every primary election authorized by this chapter held in any county shall be paid by the Board of Supervisors of such county out of the general funds of the county.

Supervisor Jessie Medlin asked how many precincts the County would have. Paul Beale said the Election Commission, after working with each Supervisors, has selected 34 precincts. Mr. Beale said the discussions have been to take the precinct at Alphaba and at Cockrum and combine them into one precinct; a new precinct at DeSoto Central School on Getwell Rd., and a new precinct at Pleasant Hill North at Church Road. Supervisor Tommy Lewis said the Election Commission should make a request to the School Board to allow for a precinct at DeSoto Central. Mr. Beale said voters would be pulled from the Aldens Precinct and the Plum Point Precinct for the Pleasant Hill North Precinct.

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to request the use of the DeSoto Central School as an election precinct. The motion passed by a unanimous vote.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to request the use of the Fire Station on Pleasant Hill Road at Church Road as a new precinct designated as Pleasant Hill North Precinct. The motion passed by a unanimous vote.

Supervisor Gerald Clifton asked if a temporary facility would be used at Cherry Valley for a voting precinct since the only building there is the concession stand. Dale Thompson said that Election Commissioner Ted Mayhall had looked at the Cherry Valley facility and the concession building could handle the voters.

Paul Beale said some voters would be relocated when the new precincts are completed and there will have to be a mass mailing done to all voters for the 2003 elections.

Supervisor Jessie Medlin asked if the Miller Precinct would be approved in time for the primary in June. Vanessa Lynchard said they are trying to get the Miller Precinct approved in time for the primary. Paul Beale said there would be signs put out at the old Miller locations to advise of the new location.

Paul Beale said that punch card ballots would be used for the June 4th Primary.

Supervisor Jessie Medlin asked if the precincts had been adopted. Paul Beale said the Supervisors need to look over and approve the precincts before adopting the plan. Paul ITEM D.3, CONTINUED,

Beale said the Justice Court District map has the Alphaba and Cockrum precincts in two separate districts, but the election precinct is being combined into one precinct. Supervisor Medlin said that Chris Watson with Bridge & Slaughter would have to be contacted about any changes necessary. Paul Beale said after the precincts have been voted on, all the legal descriptions have to be sent to the Justice Department for approval.

Supervisor Jessie Medlin made the motion and Supervisors Gerald Clifton seconded the motion to approve the Chamberlin/Nowak Law Firm to work with Bridge & Slaughter to gain approval of the redistricting from the Justice Department. The motion passed by a unanimous vote.

4. Comptroller - Joyce Riales

a. Supplemental Claims

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller in the amount of \$1,161,420.71. The motion passed by a vote as follows:

| Supervisor Jessie Medlin | NO |
|---------------------------|-----|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | YES |
| Supervisor Tommy Lewis | YES |

Supervisor Jessie Medlin said he had not had a chance to review the docket.

b. Interfund Transfer of Metro Seized Funds

At the recommendation of Comptroller Joyce Riales, Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize and instruct the Chancery Clerk, pursuant to Section 41-29-185 of the Mississippi Code of 1972, as amended, to transfer the following forfeited funds that were seized by Metro Narcotics:

| | | | | | Date of |
|------------|--------------------|----------------|---------------------|--------|---------------------------|
| Case # | Defendant | Date Seized | County Receipt # | Amount | Declaration of Forfeiture |
| DC-02-0037 | Nathan A. Morrow | 02/05/02 | 13301 | 500.00 | 03/13/02 |
| DC-02-0043 | Kevin J. Freeman | 02/05/02 | 13301 | 360.00 | 03/13/02 |
| DC-02-0043 | James N. Patterson | 02/05/02 | 13301 | 105.00 | 03/13/02 |
| DC-02-0061 | Matthew B. Martin | 02/17/02 | 13301 | 93.00 | 03/29/02 |
| DC-02-0059 | Errik S. Rogers | 02/16/02 | 13301 | 174.00 | 03/29/02 |

| Transfer From | 123-900-950 | Metro Narcotics Seized | \$1,232.00 |
|---------------|-------------|-----------------------------|------------|
| Transfer To | 105-000-384 | Metro Narcotics Forfeitures | \$1,232.00 |

The motion passed by a unanimous vote. **See Exhibit D.4.b**

5. Constables Annual Report

In accordance with Section 7-3-45 of the Mississippi Code, which states each and every constable being compensated in whole or in part on a fee basis shall file not later than April 15 of each year, with the Secretary of State, a true and accurate annual report on a form supplied to each by the State Auditor of Public Accounts immediately after January 1 of each year, to include, at least, information showing gross receipts from all sources accruing as compensation to his office and disbursements occurring as necessary expenses involved solely in complying with laws governing the office, Supervisor Gerald Clifton made a motion and Supervisor Eugene Thach seconded the motion to accept the Fee

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Date of

ITEM D.5, CONTINUED,

Officers' Earning Report of Constable Joe Holmes, Constable Lee Hodge and Constable Floyd Medlin for the 2001 Calendar Year into the minutes. The motion passed by a unanimous vote. **See Exhibit D.5**

6. Jail Inspection

The Board does hereby find that, pursuant to Section 19-5-1 of the Mississippi Code Annotated, that periodic examinations into the state and condition of the DeSoto County Jail, in regards to its safety, sufficiency and accommodation of the prisoners is required. Pursuant to Section 19-5-1 the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine the jail for said compliance. The DeSoto County Board of Supervisors has a policy of attempting to inspect the DeSoto County Jail on a monthly basis and a requirement that the DeSoto County Jail be inspected as often as is mandated by Mississippi statute, State and/or Federal law. By direction of the DeSoto County Board of Supervisors, the following persons were directed pursuant to Section 19-5-1 to perform the required examination into the state and condition of the jail and to report back to the DeSoto County Board of Supervisors:

Supervisor Eugene Thach Supervisor Gerald Clifton

The DeSoto County Board of Supervisors does hereby find that the above named committee has reported back to the DeSoto County Board of Supervisors. That they have examined the DeSoto County Jail regarding its state and condition in regard to its safety, sufficiency and accommodation of the prisoners, and does find the jail to be in compliance and requiring no further action at this time.

The Board of Supervisors discussed the inspection of the Jail on April 3RD. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the observed condition of the jail and to state there was no overcrowding of the Jail, and do find the Jail to be in compliance and requiring no further action at this time. The motion passed by a unanimous vote.

7. Safety Officers Monthly Report

Safety Officer Tim Curtis and Road Manager Russell Dorris, reporting for Safety Officer Jim Green, discussed with the Board of Supervisors the County Safety Reports for the month of March 2002.

Tim Curtis said they have worked with the DeSoto Baptist Hospital to set up a card system, called CompTrac, for workers comp claims. Mr. Curtis said any employee that goes to the hospital for a workers comp claim must have a card from the County before the hospital or Doctor would see them. Mr. Curtis said they have 10 cards and that he, Jim Green, and David Armstrong have the cards to be given out for the workers comp claims. David Armstrong said he would give his cards to Vickie Richmann, Personnel Director, for her to issue out.

Tim Curtis said the County had three accidents reported in March. There were two automobile accidents involving the Sheriff's Department personnel and one employee strained his back while moving some office furniture.

Russell Dorris said eleven people were sent to a one day seminar about safety and safety procedures. Mr. Dorris said that they are making progress where safety is a priority. Supervisor Jessie Medlin said the need to work toward communication between the road crew would be a priority. Supervisor Tommy Lewis asked for the Road Manager to have a safety session for the people who did not get to go to the seminar. Mr. Dorris said there would be additional seminars held for them to attend.

ITEM D.7, CONTINUED,

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Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Safety Officers' Monthly Report for the Month of March 2002. The motion passed by a unanimous vote. **See Exhibit D.7**

8. Appointment for Horn Lake Interceptor Sewer Commission

In accordance with Section 19-5-167 of the Mississippi Code Annotated, Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to re-appoint Ted Mayhall to the Horn Lake Interceptor Sewer District Board of Commissioners to represent District 3 for a term of four years. The motion passed by a unanimous vote. **See Exhibit D.8**

9. Appointment to the Walls Sewer District

Supervisor Gerald Clifton said he has two people to appoint to the Walls Sewer District due to two of the members moving out of the area. Board Attorney Bobby Chamberlin said he needed to look at the procedure for replacing members who have moved out of the area. Bobby Chamberlin said the members might have to resign, or the Board make a finding that the two people no longer live in the County.

In accordance with Section 19-5-167 of the Mississippi Code Annotated, Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to appoint Mike Smart, 7348 Halle Cove, Walls, MS 38680 to fill the unexpired term of Mary Ann Guthrie to January 6, 2003 and Jerold Wheeler, 7294 Halle Cove, Walls, MS 38680, to fill the term of Michael Byars to expire January 1, 2005, to the Walls Sewer District subject to the Board Attorney's approval to the current appointees eligibility to be replaced. The motion passed by a vote as follows:

| Supervisor Jessie Medlin | YES |
|---------------------------|--------|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | YES |
| Supervisor Tommy Lewis | ABSENT |

^{**}See Exhibit D.9**

10. Appointment to the Jury Commission

County Administrator David Armstrong said the Board has received a letter from Chancellor Dennis Baker regarding his appointee to the DeSoto County Jury Commission. Mr. Armstrong said Chancellor Baker was appointing Sherry B. Simmons, 9046 Whitworth Street, Southaven, MS 38672, phone #662-342-5308, to replace the expired term of James Sandy.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to accept the letter of appointment from Chancellor Baker for Sherry B. Simmons, 9046 Whitworth Street, Southaven, MS 38672 to the DeSoto County Jury Commission for a term set to expire January 3, 2005. The motion passed by a vote as follows:

| Supervisor Jessie Medlin | YES |
|---------------------------|--------|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | YES |
| Supervisor Tommy Lewis | ABSENT |

^{**}See Exhibit D.10**

ITEM D, CONTINUED,

11. Reaffirmation of Estoppel Certificate – Space Center Memphis, Inc. Lease

County Administrator David Armstrong said he received a letter regarding the ground lease for the County premises at 604 Expressway Drive, Horn Lake. Mr. Armstrong said the lease is held by Walker Manufacturing Company as currently assigned to Space Center Memphis, Inc. and they are requesting a reaffirmation of Estoppel Certificate. Mr. Armstrong said the Board Attorney has looked over the certificate and changed a line of the lease, but otherwise everything is in order.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Estoppel Certificate for the Space Center Memphis, Inc. that is held by Walker Manufacturing Company and at the Board Attorney's direction to remove any reference to district distinction that may have been appropriate in 1972 when the County was under the beat system of County government. The motion passed by a vote as follows:

| Supervisor Jessie Medlin | YES |
|---------------------------|--------|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | YES |
| Supervisor Tommy Lewis | ABSENT |

^{**}See Exhibit D.11**

12. Making the State Tax Commission Approval of Tax Exemption Part of the Minutes

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to accept the State Tax Commission final order for tax exemption as part of the minutes on the following companies:

- a. Hallmark Flowers 10 Years, effective January 1, 2001, total value \$1,942,208
- b. Intelligent Business System 10 Years, effective February1, 2000, total value \$1,446,100

The motion passed by a vote as follows:

| Supervisor Jessie Medlin | YES |
|---------------------------|--------|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | YES |
| Supervisor Tommy Lewis | ABSENT |

^{**}See Exhibit D.12**

13. Making Executed Agreement for the Waste Tire Grant a Part of the Minutes

County Administrator David Armstrong said the County has \$5,000 left in the Waste Tire Grant and the State has agreed to extend the Grant until June 30, 2002. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the State of Mississippi executed grant modification between MDEQ and DeSoto County and to make it a part of the Board minutes. The motion passed by a unanimous vote. **See Exhibit D.13**

14. Approval of County Wide Household Clean Up Days May 4 & May 11, 2002

County Administrator David Armstrong said Jim Bearden, Director of Operations and Maintenance, would like to schedule the County Wide Household Clean Up Days for ITEM D.14, CONTINUED,

May 4 & May 11, 2002. The locations for the dumpsters have been set. Supervisor John

Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the County Wide Household Clean Up Days for May 4 & May 11, 2002, and for the locations of the dumpsters as follows:

- 1. A. C. I Fire Department, 10145 Holly Springs Rd., Hernando, MS
- 2. Eudora Fire Department, 9341 Hwy 304 W., Hernando, MS
- 3. Lewisburg Fire Department, 8771 Byhalia Rd., Olive Branch, MS
- 4. Love Fire Department, 7345 Hwy 51 S., Hernando, MS
- 5. Nesbit Fire Department, 901 Pleasant Hill Rd., Nesbit, MS
- 6. Summershill Fire Department I, 7600 Pleasant Hill Rd., Olive Branch, MS
- 7. Summershill Fire Department II, 3854 Pleasant Hill Rd., Olive Branch, MS
- 8. Walls Fire Department, 5876 Hwy 301, Walls, MS
- 9. Hernando, High School, 805 Dillworth, Hernando, MS
- 10. Horn Lake High School, 6125 Hurt Rd., Horn Lake, MS
- 11. District #1 Barn, 10947 Old Hwy 78, Olive Branch, MS
- 12. Justice Court, 8525 Hwy 51 N., Southaven, MS

The motion passed by a unanimous vote.

15. Making the State Fire Marshall's Semi Annual Jail Inspection Report Part of the Minutes

Supervisor Gerald Clifton made the motion, and Supervisor Jessie Medlin seconded the motion to accept the inspection of the DeSoto County Jail by the State of Mississippi Department of Insurance, Office of the State Fire Marshal, in compliance with Federal Court Order No. GC 71-6-K (Gates vs Collier), the latest semi annual jail inspection report for the period of January 1, 2002 through June 30, 2002, and to make it a part of the Board minutes. The motion passed by a unanimous vote. **See Exhibit D.15**

16. Approval to Advertise County Resources

County Administrator David Armstrong said the Board has received two requests for assistance for DeSoto County Youths that were attending competition events outside the State. The requests are for the following:

- a. National Young Leaders Conference Katie Lyons
- b. DECA International Competition Zach Crapa

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to advertise DeSoto County Resources by contributing \$ 250.00 each to Katie Lyons to attend the National Young Leaders Conference in Washington, D.C. and Zach Crapa to attend the DECA International Competition in Salt Lake City Utah. In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. The Board of Supervisors noted that each youth must take an advertisement showing the resources of DeSoto County. The motion passed by a vote as follows:

| Supervisor Jessie Medlin | YES |
|---------------------------|-----|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | NO |
| Supervisor Tommy Lewis | YES |

^{**}See Exhibit D.16**

CONTINUED,

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to recess until 1:15 p.m. The motion passed by a unanimous vote.

17. Approval to Hire an Appraiser for the Fairhaven Fire Dept. Building

Board Attorney Bobby Chamberlin said to lease the Fairhaven Fire Department to the Food Pantry would require that an appraisal be acquired on the property in order to establish the lease at a fair market value. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Board Attorney to hire Gene Norwood to do an appraisal on the Fairhaven Fire Department building. The motion passed by a unanimous vote.

18. A-Fair Request for Courthouse & Administration Bldg. On May 17-18, 2002 (start 6PM)

County Administrator David Armstrong said the A-Fair committee is seeking approval to use the sidewalks around the Courthouse for booth space at the Hernando A-Fair Event scheduled May 17 & 18, 2002. The people start coming in on Friday night for the Saturday event and they would like to have the access to the bathrooms at the Administration Building and the Courthouse for both days. The committee will pay for the County to provide security and janitorial services for the event.

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to open the Courthouse and the Administration Building the nights of May 17th and 18th, 2002 for the Hernando A-Fair Event. The motion passed by a unanimous vote.

19. Craft Road Bank Stabilization - Andy Swims

County Engineer Andy Swims said he had sent a letter on behalf of the Board of Supervisors requesting that the bank stabilization project on Craft Road north of Dunn Lane be addressed as a Demonstration Erosion Control Project. Andy Swims said the County would be responsible for acquiring easements and relocating the utilities.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve County Engineer Andy Swims' letter regarding the bank stabilization project on Craft Road. The motion passed by a unanimous vote. **See Exhibit D.19**

20. Project Cooperation Agreement with Corps of Engineers

a. Approval of PCA Agreement

Board Attorney Bobby Chamberlin said he recommends some language changes in the proposed PCA agreement. The recommended changes are fully described in the letter to the Corp of Engineers included here as Exhibit D.20.a. Otherwise everything is in order. At the recommendation of the Board Attorney Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the PCA Agreement for the DeSoto County Regional Wastewater System and the U. S. Army Corps of Engineers under the terms and conditions outlined in the letter dated April 15, 2002. The motion passed by a unanimous vote. **See Exhibit D.20.a**

b. Approval of Project Management Agreement

County Administrator David Armstrong said the Project Management Agreement was the details of the scope of work to be done on the DeSoto County Regional Wastewater System by the U. S. Army Corps of Engineers. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the Project Management Agreement between the DeSoto County Board of Supervisors and the U. S. Army Corps of Engineers based on the Board Attorney's recommendation. The motion passed by a unanimous vote. **See Exhibit D.20.b**

ITEM D, CONTINUED,

21. Approval of WEI/EAI Amendment #5

Joe Waggoner, of Waggoner Engineering, said he was here to present a PowerPoint

 presentation on the DeSoto County Regional Wastewater Program status. Mr. Waggoner said the recap of funds for the project show the work done for the preliminary design and engineering while waiting on the Environmental FONSI (Finding of No Significant Impact). Mr. Waggoner said they are now ready to proceed with the final design for the Eastern Division Treatment Facility. Mr. Waggoner said they have been working in phases on the project and the final design of the Eastern Division Treatment Facility would complete Phase I. Mr. Waggoner said the final plans should be completed by June 3, 2002 to be able to go out for bids in July and possible construction to begin by December 2002.

Mr. Waggoner said there is still a need to look for funds for the Wastewater Program and that the County is ahead of schedule by one year from the original date set. Mr. Waggoner said that DeSoto County is in urgent need for this project to be completed and that the second grant application to EPA is required now. Supervisor Eugene Thach asked what was the agreement of funding. Mr. Waggoner said that for the first EPA Grant the match was 75% Federal funds and 25% Local funds and that the City of Olive Branch contributed \$1 million on the pipeline in in-kind contribution we discussed. Mr. Waggoner said that the DEQ had requested information on the Dams due to Congress passing the Dam Safety Act. Mr. Waggoner said they have worked through the County Contingency Plan, the Corp of Engineers and the Civil Defense.

Mr. Waggoner said the four phases of the Wastewater System are as follows:

| Phase I | Development of the Eastern Division Treatment Facility |
|-----------|--|
| Phase II | Development of the Western Division Treatment Facility |
| Phase III | Development of the Northeastern Treatment Facility |
| Phase IV | Development of lines where there are no demands yet |

Mr. Waggoner said there is nothing in stone, but these phases are based on the environmental plans of the County. Mr. Waggoner said the optimum system would be two service areas with a combination of gravity and pumped systems for collection and transport and the two Wastewater Treatment Facilities. The ability to upgrade the system would also be figured into the plans. The total Wastewater Program Cost for the optimum system is estimated at \$91,800,000.

Mr. Waggoner said a summary of current funding authorizations has been \$28,625,000 of Federal Funds and \$13,725,000 Local Funds for a total of \$42,350,000. Mr. Waggoner said the FY 2001 EPA Funding – Proposed Modifications would be \$3,000,000 Federal funds and \$4,400,000 local funds for a total of \$7,400,000 which, is for the Short Fork Creek Interceptor. Mr. Waggoner said this modification is amending the application to let Hernando go into the Eastern Division Facility from the proposed Western Division Facility. Mr. Waggoner said the Energy & Water Grant Budget for FY 1999 and 2001, is Federal funds \$8,000,000 and local funds \$3,518,000, for a total budget of \$11,518,000.

Mr. Waggoner said they are requesting today for the Board of Supervisors to approve Amendment #5 of their contract to activate the funds in the amount of \$2,437,841.00 for the final engineering design of the Eastern Division Phase I, the preliminary engineering design of the Western Division WWTF and effluent pump station and force main, and the administrative engineering services. Mr. Waggoner said that Amendment #5 also allows for a cost plus of out of pocket expenses at actual costs incurred for travel and subsistence, as authorized by the County. The complete presentation by EAI/WEI is included here as Exhibit.D.21.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve Amendment #5 Professional Services Agreement with EAI/WEI, LLC

ITEM D.21, CONTINUED,

based on the approval by the Regional Utility Board to activate the final design on the Short Fort Treatment Plant and the Olive Branch pipeline. The motion passed by a

 unanimous vote. **See Exhibit D.21**

To fund the next phase, the RUA has a State Revolving Loan in the amount of \$4 million. This loan is not completely final but it is possible. Mr. Waggoner said we may have to gap finance some of it or slow down the process a little this year.

22. Authorization for Board President to sign Closeout Package for JAIBG Grant

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the Board President to sign the DPSP Subgrantee Closeout for Subgrant No. 9JB1171 for the JAIBG Grant. The motion passed by a unanimous vote. **See Exhibit D.22**

23. Chancery Clerk Allowance

On this date, the Chancery Court Clerk, W. E. Davis presented a Court approved Order of Allowances to the Board of Supervisors for the April 2002 Term in the amount of \$1,346.66. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve these payments, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote. **See Exhibit D.23**

24. Circuit Clerk Allowance

a. Circuit Court Clerk Allowance

The County Administrator David Armstrong presented, on behalf of the Circuit Clerk Dale Thompson, the Court approved Order of Allowances to the Circuit Court Clerk for the March 2002 Term in the amount of \$9,862.50. Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion, pursuant to Sections 25-7-13 and Section 43-21-205 of the Mississippi code of 1972, Annotated, to authorize the payment of \$9,862.50. The motion passed by a unanimous vote.

b. Vacation Days Allowance

County Administrator David Armstrong presented, on behalf of the Circuit Clerk Dale Thompson, the Vacation Days Allowances to the Circuit Court Clerk for the March 2002 Term in the amount of 1,800.00. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion, pursuant to Sections 25-7-13 and Section 43-21-205 of the Mississippi code of 1972, Annotated, to authorize the payment of \$1,800.00. The motion passed by a unanimous vote.

c. Order of Allowances to the County Court Clerk

County Administrator David Armstrong presented, on behalf of the Circuit Clerk Dale Thompson, Order of Allowances to the County Court Clerk for the March 2002 Term in the amount of 3,124.00 and Youth Court in the amount of \$6,050. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion, pursuant to Sections 25-7-13 and Section 43-21-205 of the Mississippi code of 1972, Annotated, to authorize the payment of \$3,124.00 and \$6,050.00. The motion passed by a unanimous vote

See Exhibit D.24

25. Overlay of South Street

Supervisor Tommy Lewis said he would like to add South Street West from Elm Street to Hwy 51 and a portion of West Street agreed to in the Jail Renovation Project, to the overlay contract. Supervisor Lewis said the road had been dug up to lay the water line required for the Jail renovation. Supervisor John Caldwell said he had spoken with Jim

ITEM D.25, CONTINUED,

Bearden, Director of Operations and Maintenance, and that Mr. Bearden had counted on redoing the paving for the road with funds from the jail fund after the juvenile facility is complete. Supervisor Lewis said he felt like this road could not wait that long to be

repaired.

Supervisor Tommy Lewis made the motion to amend the overlay contract for the improvements to South Street West from Elm Street to Hwy 51 and a portion of West Street and to pay for both with funds from the Jail bond. Supervisor John Caldwell seconded the motion. The motion passed by a unanimous vote.

E. EXECUTIVE SESSION

The executive session portions of these minutes are recorded under the portion of the minutes called "Executive Session."

F. OTHER ISSUES

1. Homestead

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the petition to adjust the homestead exemption supplemental roll as presented by the Chancery Clerk, as follows:

| F | PARCEL NUMBER & LOCATION | PARCEL NUMBER & LOCATION |
|---|-------------------------------------|----------------------------------|
| | 1065-2217.0-00434.00 – Olive Branch | 1079-3204.0-00087.00 - Southaven |
| | 1087-2618.0-00092.00 - Southaven | |

The motion passed by a unanimous vote. **See Exhibit F.1**

2. Overlay Contract

Consulting County Engineer Daniel Murphy said he should have the cost calculated for the Overlay Contract for the Board soon. No actions were taken on this item.

3. Annual Report Gates vs Collier

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to hire the Chamberlin/Nowak Law Firm to file the annual report regarding Gates v. Collier, CA No. 71-6-LS-D, USDC, N. D. Miss.: Order Regarding Use of Local Jails for Incarcerations of State Prisoners, which is to be filed by July 1, 2002. The motion passed by a unanimous vote.

4. Equipment at Central Maintenance

County Road Manager Russell Dorris presented the Board of Supervisors with a list of equipment needs for Central Maintenance. Mr. Dorris recommended to do a lease purchase on some of the equipment and to advertise for a guaranteed buy back or cash purchase when going out for bid.

Mr. Dorris said that he is working on a list of equipment at Central Maintenance that could be sold. Supervisor Jessie Medlin asked if there is any money left in the Central Maintenance budget for the equipment. Mr. Dorris said there would be some money to make the first month's payment. Supervisor Medlin asked if the bid would be done as one or more purchase on the equipment. Mr. Dorris said yes.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the equipment list as recommended by the Road Manager Russell Dorris and to advertise for bids as requested. The motion passed by a unanimous vote.

ITEM F.4, CONTINUED,

See Exhibit F.4

5. McInvale Road

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Consulting County Engineer Daniel Murphy said the plans are ready to go out for bid for the construction on McInvale Road. Mr. Murphy said the cost would run in the range of \$200,000. Supervisor Eugene Thach asked where the funds would come from for the construction. County Administrator David Armstrong said the money would have to come from the Bond money.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve, based on the recommendation of plans by the Consulting County Engineer Daniel Murphy, going out for bid for the construction to McInvale Road. The motion passed by a vote as follows:

| Supervisor Jessie Medlin | NO |
|---------------------------|-----|
| Supervisor Eugene Thach | YES |
| Supervisor Gerald Clifton | YES |
| Supervisor John Caldwell | YES |
| Supervisor Tommy Lewis | YES |

Supervisor Jessie Medlin said his vote was based on the fact that he thought the County should do the construction to McInvale Road.

6. GASB 34 – Accounting System

Chancery Clerk Sluggo Davis said the Board should look at and consider how the effect of the GASB 34 Accounting System would be on the County balance sheets if they come up different. Mr. Davis said the new bookkeeping system would go into affect in FY 2003. County Administrator David Armstrong said the State established threshold would have to be determined and the County could do in house or got out to have this done.

David Armstrong said he would like to hold up on any decisions at this time. No motions were made on this item.

7. TAP-ONS to EDA Funded Facilities

County Administrator David Armstrong said one of the requirements of EDA for the grant applied for by the County, regarding the Brentwood Project, is that the recipients of the grant money have covenants restricting tap-ons to the funded facilities. Mr. Armstrong said the Board Attorney has prepared a resolution to be approved by the Board of Supervisors, and a resolution to be approved by the DeSoto County Regional Utility Authority regarding the restrictive covenants of tap-ons to EDA funded facilities.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the resolutions regarding the restrictive covenants of tap-ons to EDA funded facilities. The motion passed by a unanimous vote. ** See Exhibit F.7**

8. Springfest

Supervisor Eugene Thach said he thought that in the past the Board had approved to provide a donation to the Southaven Springfest. Supervisor Thach made the motion to advertise the County resources by making a donation to the Southaven Springfest event to start on April 26 and approve a budget amendment from use the District 2 Park Funds to make the donation in the amount equal to past donations. Supervisor Gerald Clifton

ITEM F.8, CONTINUED,

seconded the motion. The motion passed by a unanimous vote.

Later in the meeting, Vanessa Lynchard said she could find no evidence of past donations to Springfest other than hay for the event. No other motions were made on this item.

9. Green T Road

Supervisor Tommy Lewis said he would like to have Green T Road added to the Overlay Contract, since Memphis Stone & Gravel would be paying for half of the cost. Supervisor John Caldwell said they should pay for the entire overlay to Green T Road. Supervisor Jessie Medlin asked if Memphis Stone & Gravel would at least pay for 80% of the overlay. Supervisor Lewis said he would negotiate with Memphis Stone & Gravel, but he wanted to have Daniel Murphy to give an estimate of the cost. Supervisor Lewis asked the County Administrator to have Daniel Murphy get the estimate. No motions were made on this item.

10. Interlocal Agreement – Hwy 178 Olive Branch

Supervisor Jessie Medlin said the County had agreed to pave Hwy 178 and Old Goodman Road in Olive Branch and they had agreed to pay for half of the paving, but he had received a call from Gary Snyder requesting that a separate interlocal agreement be drawn upfor this to be done.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to hire the Chamberlin/Nowak Law Firm to assist in drawing up an interlocal agreement between the City of Olive Branch and DeSoto County for the paving of Hwy 178 (Old Goodman Road) in the City of Olive Branch, and for one-half of the cost to be paid for by the City of Olive Branch. The motion passed by a unanimous vote.

11. NACO Convention July 12-16, 2002

County Administrator David Armstrong said the NACO Convention in New Orleans would be held on July 12 through July 16, 2002, and that the reservations needed to be made. Mr. Armstrong asked the Supervisors if they planned to attend. Supervisors Caldwell, Clifton, and Thach stated they plan to attend. Supervisors Jessie Medlin and Tommy Lewis said they are not sure if they will attend. No motions were made on this item

12. Chancery Clerk Excess Revenues as Part of the Minutes

Chancery Clerk Sluggo Davis presented the Board of Supervisors with a letter that there are excess revenues in the amount of \$163,120.28 collected in the Chancery Clerk's office over the salary cap amount for the calendar year 2001, and said he had written a check to the County for this amount.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve adding the letter from the Chancery Clerk stating the return to the County of excess revenues in the amount of \$163,120.28. The motion passed by a unanimous vote. **See Exhibit F.12**

13. Jail Renovation Update - David Klein

David Kline, from Kline Swinney Associates, said they are making progress on the completion of the jail. Mr. Kline said the date of June 24 was scheduled as the completion date, but in reality he would say July 1, 2002. Mr. Kline said the original completion date was to be May 20, 2002 and that there would be a \$2,000 a day liquidation fee charged to the contractor starting after this date. Mr. Kline said there were a few weather days still to be used, but the contractor has been slow all the way thru on the job. No motions or actions were taken on this item.

ITEM F, CONTINUED,

14. Hwy 301 Construction Hauling

Phil Sentell, with Souter Construction Company and Benny Norwood, a DeSoto County resident appeared before the Board of Supervisors regarding their contract with the Corp

of Engineers to haul rock for the project at Arkabutla Lake. Mr. Sentell said they were awarded the contract to sell stone for the project at Arkabutla Lake and they were unaware of the road problems with Hwy 301concerning weight limits. Mr. Sentell said when they talked with the State nothing was mentioned about the road not being able to handle 80,000 pounds.

Supervisor John Caldwell said the Board has tried to get the State to take Hwy 301 in, but this has to be approved by Congress. Supervisor Caldwell said the last time the Corp did work at Arkabutla the County had to go thru Congress to get the road fixed by the Corp. Supervisor Caldwell said he knows this puts Souter in a tight place because of the weight limit on the road, but this road is only designed for 30,000 pounds weight limit.

Mr. Sentell said the Board had requested they use Pratt Road to go into Arkabutla, but this road has a bridge that would only allow a 3 ton load limit on the bridge.

Supervisor Caldwell said that Hwy 301 is a high residential area for these trucks to be traveling through. Supervisor Eugene Thach asked from where would they be hauling rocks. Mr. Sentell said they would be hauling from the McKellar Lake area of the river and the job would take three to four months to complete. Supervisor Caldwell said the Board could arrange for Hwy 301 to be used until the Pratt Road bridge is repaired. Supervisor Jessie Medlin said that Pratt Road is a State Aid Road.

Supervisor John Caldwell asked who would identify the damage being done to Hwy 301 and find a suitable arrangement to bring the road back into shape? Supervisor Medlin said the Corp of Engineers should carry the responsibility and let Daniel Murphy look at road to see what it would take to repair. Mr. Sentell said if the Board would set a bond amount, they would get the bond and have to the County tomorrow. Supervisor Thach the Board should get Daniel Murphy , Consulting County Engineer, to set the bond amount for Hwy 301 and then Souter Construction could meet with Mr. Murphy today and the Board could come back and vote on this today.

Supervisor Tommy Lewis cautioned Mr. Sentell to have the trucks supervised for speeding since they are running through a residential section of the County. Supervisor Caldwell said that the Board can set a time limit on hauling due to the traffic and school buses in the area. Mr. Sentell said they start hauling at 7 a.m. and work until late in the day. Supervisor Caldwell asked how many days of the week would they be hauling. Mr. Sentell said only five days a week, Monday through Friday, unless they were rained out and they would haul on Saturday. Supervisor Medlin said if the Board sets a bond, could they handle? Supervisor Thach said the Board would accept what Daniel Murphy recommends the bond to be. Supervisor Caldwell said he wanted to hear what Daniel Murphy has to say about the road and what position he recommends for the Board.

No motions were made at this time until Daniel Murphy could come to the meeting.

Later in the meeting, Daniel Murphy came to make his recommendations to the Board. Mr. Murphy said he was agreeable with the Board for the Contractor Sentell to make bond for the road. Mr. Murphy said after three or four months of hauling, to look at the road and then make recommendations for repair. Mr. Murphy said the bond amount to put a surface on road would be required. Mr. Murphy said a \$160,000 bond to resurface Hwy 301 would be the cost in the worst case scenario. Mr. Murphy said that Hwy 301 is not built to State standards and that the soil cement sub grade was done to release the road by the Corp of Engineers. Mr. Murphy said that Hwy 301 is not up to the new State standard requirements to be a State road. Supervisor Caldwell said it would be up to the County to monitor Hwy 301 and cautioned Mr. Sentell that if hazardous conditions occur

ITEM F.14, CONTINUED,

the Board would stop hauling and expect repairs to be done. Supervisor Caldwell said a contract should be drawn up to state that they can not haul until 8 a.m., with the requirement no Saturday or Sunday hauling.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the rock hauling by Souter Construction on Hwy 301 with the trucks not to start before 8 a.m. and no hauling to be done on Saturday or Sunday and for a bond to be secured in the amount of \$160,000. The motion passed by a vote as follows:

Supervisor Jessie Medlin
Supervisor Eugene Thach
Supervisor Gerald Clifton
Supervisor John Caldwell
Supervisor Tommy Lewis
YES

County Administrator David Armstrong said he would have the Road Manager make a video of Hwy 301.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion, to recess the meeting until April 30, 2002 at 9:00 am. The motion passed by a unanimous vote.

THIS the 15TH. day of April 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors